

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ALBERT E. PAPPIN, JR.,

1:05-cv-00022-REC-LJO-P

Plaintiff,

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS** (Doc. 14)

vs.

ORDER DISMISSING ACTION

JEANNE S. WOODFORD, et al.,

Defendants.

Plaintiff Albert E. Pappin, Jr. ("plaintiff") is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 72-302.

On September 7, 2005, the Magistrate Judge filed a Findings and Recommendations herein which was served on plaintiff and which contained notice to plaintiff that any objections to the Findings and Recommendations were to be filed within fifteen (15) days. To date, plaintiff has not filed objections thereto.¹

¹ The United States Postal Service returned the order served on plaintiff on September 22, 2005, as undeliverable. A notation on the envelope indicated: RETURN TO SENDER: DECEASED - 5/20/05.

1 In accordance with the provisions of 28 U.S.C.
2 § 636(b)(1)(C) and Local Rule 73-305, this Court has conducted a
3 de novo review of this case. Having carefully reviewed the
4 entire file, the Court finds the Findings and Recommendations to
5 be supported by the record and by proper analysis.

6 Accordingly, IT IS HEREBY ORDERED that:

7 1. The Findings and Recommendations, filed September 7,
8 2005, is ADOPTED in full; and,

9 2. This action is DISMISSED for plaintiff's failure to
10 obey the court's order of July 22, 2005, and for failure to state
11 a claim upon which relief may be granted.

12 IT IS SO ORDERED.

13 Dated: October 11, 2005
14 668554

/s/ Robert E. Coyle
UNITED STATES DISTRICT JUDGE